

REMARKS

Claims 1-20 are pending. By this Amendment, claims 1, 11 and 12 are amended and claims 14-20 are added. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The drawings were objected to under 37 C.F.R. §1.121(d). Submitted herewith are formal drawings. Reconsideration and withdrawal of the objection to the drawings are respectfully requested.

Claims 1 and 9-13 were rejected under 35 U.S.C. §102(e) over Van Schaik et al. (U.S. Patent 6,828,569). The rejection is respectfully traversed.

The Office Action on page 3, lines 20-21, states that the purge gas supply 4 of Van Schaik et al. "must contain a 'moisturizer' in order to provide the gas mixture with the added water vapor."

Although unstated in the Office Action, it appears that the Examiner is relying upon the theory of inherency to conclude that Van Schaik et al. anticipates the claimed invention. As stated in MPEP §2112, in order to rely on the theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to support the conclusion that the claimed features are necessarily present in the disclosure of Van Schaik et al. It is respectfully submitted that the Examiner has not met this burden. There is nothing in the disclosure of Van Schaik et al. that would lead one of ordinary skill in the art to conclude that a moisturizer is necessarily present in the disclosure of Van Schaik et al.

Van Schaik et al. merely disclose that the purge gas is provided from a purge gas supply 4, which may be pressurized container containing the purge gas in a gaseous or liquid form. The purge gas comprises molecular oxygen and is supplied to the space 2 via the inlet 5, which may comprise a valve. The purge gas may contain one or mixture of oxygen-containing species selected from water, nitrogen oxide and oxygen-containing hydrocarbons.

As discussed above, Van Schaik et al. merely disclose that the purge gas is supplied from a pressurized container and that the purge gas may contain one or a mixture of oxygen-containing species. There is no disclosure or suggestion by Van Schaik et al. of a purge gas mixture generator comprising a moisturizer configured to add moisture to a purge gas, the purge gas mixture generator also being configured to generate a purge gas mixture which comprises at least one purge gas and the moisture. Accordingly, Van Schaik et al. cannot anticipate or render obvious claim 1.

With respect to claim 11, there is no disclosure or suggestion by Van Schaik et al. of generating a purge gas mixture which comprises at least one purge gas and moisture by adding moisture to a purge gas.

With respect to claim 12, there is no disclosure or suggestion by Van Schaik et al. of applying the method according to claim 11 to at least a part of a substrate at least partially covered by a layer of radiation sensitive material.

With respect to claim 13, as discussed, there is no disclosure or suggestion by Van Schaik et al. of a purge gas mixture generator comprising a moisturizer configured to add moisture to a purge gas.

Claims 14-20 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claim 13 and for the additional features recited therein.

Reconsideration and withdrawal of the rejection of claims 1 and 9-13 over Van Schaik et al. are respectfully requested.

Applicants appreciate the indication that claims 2-8 define patentable subject matter. However, in view of the above amendments and remarks, Applicants respectfully submit that all the claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



JOHN P. DARLING

Reg. No. 44482

Tel. No. 703 770.7745

Date: December 2, 2005
P.O. Box 10500
McLean, VA 22102
Tel. No.: 703 770.7900
Fax No.: 703 770.7901
Attachments:
Formal Drawings